



The Competitive Carriers Association

**Rural Cellular Association**

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October 28, 2011

**Via ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CG Docket No. 09-158; CG Docket No. 10-207; WT Docket No. 05-265  
WT Docket No. 06-150; RM-11592; RM-11497  
*Ex Parte* Notice**

Dear Ms. Dortch:

On October 27, 2011, Tim Donovan, Nick Mikula and I met with Joel Gurin, Colleen Heitkamp, William Freedman and Richard Smith (via teleconference) of the FCC's Consumer and Governmental Affairs Bureau (CGB) to discuss the recent "bill shock" agreement between the FCC, Consumers Union and CTIA.

RCA commended the FCC for its bill shock action, and in particular for understanding the unique challenges that rigid, "one-size fits all" regulations would impose on smaller, rural and regional carriers.<sup>1</sup> While not all RCA members are signatories to CTIA's Consumer Code, RCA carrier members are committed to mitigating bill shock and notifying consumers to avoid unexpected overage charges. To further the voluntary efforts, RCA agreed to continue to work with CGB to ensure good faith efforts and best practices to mitigate bill shock.

RCA also discussed challenges that competitive carriers continue to face, including negotiating fair and reasonable data roaming agreements and lack of access to mobile end-user devices as a result of device exclusivity agreements and non-interoperable spectrum. RCA described how these challenges have a direct, negative impact on rural and regional consumers.

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<sup>1</sup> See Empowering Consumers to Avoid Bill Shock Consumer Information and Disclosure, CG Docket Nos. 10-207 and 09-158, Notice of Proposed Rulemaking (October 14, 2010).

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules. Please contact us with any questions.

Sincerely,

/s/

Rebecca M. Thompson  
General Counsel

cc (via email): Joel Gurin  
Colleen Heitkamp  
William Freedman  
Richard Smith